



IFW 2023  
2153

S&H Form: (10/03)  
Attorney Docket No. 1086.1116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hideki FUJINO

Application No.: 09/577,593

Group Art Unit: 2123

Filed: May 25, 2000

Examiner: Ayal I. Sharon

For: OPTICAL PATH SIMULATION CAD SYSTEM AND METHOD

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Attention: After Final**

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed January 20, 2004 finally rejecting claims 1-4,7-15 and 18-23.

The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

X Attached is a petition for a three-month extension of  
time for reply to the final rejection. \$ 840.00  
**(A petition for a one-month extension was already  
requested with the Amendment filed May 19, 2004.)**

2. APPEAL FEE

X Other than a small entity 330.00

**TOTAL FEE \$ 1170.00**

07/19/2004 EFLURES 00000068 09577593

01 FC:1401

330.00 UP

3. PAYMENT

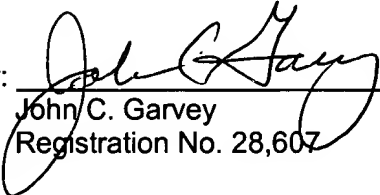
☒ Check attached for the total fee of \$ 1170.00.

☒ Charge Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: 7-16-04

By:   
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S&amp;H Form: (10/03)

**REPLY/AMENDMENT  
FEE TRANSMITTAL**

Attorney Docket No.	1086.1116
Application Number	09/577,593
Filing Date	May 25, 2000
First Named Inventor	Hideki FUJINO
Group Art Unit	2123

AMOUNT ENCLOSED	1170.00	Examiner Name	Ayal I. Sharon
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**FEE CALCULATION (fees effective 10/01/03)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	19	- 23 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	3	- 5 =	0	X \$ 86.00 =	0.00
Since an Official Action set an <u>original</u> due date of <u>April 20, 2004</u> , petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5 months (\$2,010)): <b>(A one-month extension of time was requested with the Amendment filed May 19, 2004.)</b>					840.00
If Notice of Appeal is enclosed, add (\$330.00)					330.00
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)					0.00
Information Disclosure Statement (Rule 1.17(p)) (\$180.00)					
Total of above Calculations =					\$ 1170.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)					
TOTAL FEES DUE =					\$ 1170.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

**METHOD OF PAYMENT**

- ☒ Check enclosed as payment.
- ☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

**GENERAL AUTHORIZATION**

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- Deposit Account No. 19-3935
- Deposit Account Name STAAS & HALSEY LLP
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS &amp; HALSEY LLP

Typed Name	John C. Garvey	Reg. No.	28,607
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Signature

Date

7-16-04

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